


MEMORANDUM
MONROE COUNTY PLANNING DEPARTMENT
We strive to be caring, professional and fair

To: Monroe County Planning Commission

From: Joseph Haberman, Planner 

Through: Aref Joulani, 
Senior Director of Planning & Environmental Resources

Date: February 7, 2007

RE: *Request by Edwin Swift III of Old Town Key West Development, Ltd, for a One-Year Extension to Planning Commission Resolution No. P12-06*



I REQUEST:

A. Proposal:

Old Town Key West Development, Ltd is requesting a one-year extension to Planning Commission Resolution No. P12-06, in accordance with Sec. 9.5-72(a)(1) of the Monroe County Code (MCC). Resolution No. P12-06, adopted on March 8, 2006, approved an Amendment to a Major Conditional Use, allowing the development of eighteen (18) affordable housing units and four (4) market-rate dwelling units.

B. Location:

1. Island & Mile Marker: Stock Island, MM 5
2. Address: 5550 5th Avenue
3. Legal Description: Dog Track Parcels Condominium Parcels 1, 2 & 3
4. Real Estate Numbers: 00123800.000101, 00123800.000102 & 00123800.000103

C. Applicant:

1. Owner: Dog Track Partnership & Meridian West Ltd
2. Agent: Edwin Swift III, Old Town Key West Development, Ltd

II PROCESS:

Pursuant to MCC Sec. 9.5-72(a)(1), unless otherwise specified in the approved conditional use approval, application for a building permit(s) shall be made within six (6) months of the date of the approval of the conditional use, and all required

certificates of occupancy shall be procured within two (2) years of the date of issuance of the initial building permit, or the conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners.

An extension of time may be granted only by the Planning Commission for a period not to exceed one (1) year and only within the original period of validity. When a hearing officer has ordered a conditional use approval initially denied by the Planning Commission, the commission shall nonetheless have the authority to grant or deny a time extension under this section.

If the Planning Commission denies a time extension, the holder of the conditional use may request an appeal of that decision under the hearing officer appellate article of the land development regulations by filing the notice required within thirty (30) days of the written denial of the Planning Commission.

III PRIOR COUNTY ACTIONS:

On March 8, 2006, the Planning Commission passed Resolution No. P12-06, which granted a request by Dog Track, Inc and Old Town Key West Development, Ltd for an Amendment to a Major Conditional Use. The conditional use approval was for the additional development of nine (9) moderate income level deed restricted duplexes (consisting of eighteen (18) affordable housing units) and four (4) single-family market-rate dwelling units. The conditional use approval also provided a front yard setback waiver to allow for a fifteen (15) foot front yard setback and established the property as a sender site to transfer 14,270 ft² of nonresidential floor area off-site.

In 2002, Resolution No. P19-02 granted a request for an Amendment to a Major Conditional Use in order to allow the development of one hundred and two (102) affordable housing units and 14,270 ft² of nonresidential floor area on the site.

IV BACKGROUND INFORMATION:

- A. Size of Site: 405,180 ft² (9.3 acres)
- B. Land Use District: Mixed Use (MU)
- C. Future Land Use Map (FLUM) Designation: Mixed Use / Commercial (MC)
- D. Proposed Tier Designation: Tier III
- E. Existing Vegetation / Habitat: Scarified
- F. Community Character of Immediate Vicinity: Mixed-Use

1 V REVIEW OF APPLICATION:

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3 *Pursuant to MCC Sec. 9.5-72(a)(1), the Planning Commission may grant an extension of*
4 *time for a period not to exceed one (1) year and only within the original period of validity:*

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6 The Applicant is requesting a one-year extension and at this time, Resolution No.
7 P12-06 is within its original period of validity.
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9 VI RECOMMENDATIONS:

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11 A. Staff recommends APPROVAL to the Planning Commission to grant a one-year
12 extension to Planning Commission Resolution No. P12-06.